

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**TONY ANTHONY GRIFFIN
ADC #150964**

PLAINTIFF

v.

Case No. 4:20-cv-00113-LPR-JTR

**ADAM CLARK, Captain,
Tucker Unit, *et al.***

DEFENDANTS

ORDER

The Court has received a Partial Recommended Disposition (“Recommendation”) from United States Magistrate Judge J. Thomas Ray. (Doc. 25). No objections have been filed, and the time to do so has now passed. However, Mr. Griffin has filed a letter to the court (Doc. 27) and a list of his medications. (Doc. 26). The Court has reviewed those documents. To be overly cautious, the Court will treat them as if they are objections to Judge Ray’s Recommendation. The Court has carefully and fully reviewed the entire record *de novo*, the Recommendation, and all submissions by Mr. Griffin. After such review, the Court concludes that the Recommendation (Doc. 25) should be, and hereby is, approved and adopted as this Court’s findings in its entirety.

To put it succinctly, Mr. Griffin has not provided any *evidence* that would suggest he meets the stringent requirements for an *ex parte* TRO. Mr. Griffin’s Motion for Injunction (Doc. 14) is DENIED to the extent it requests *ex parte* relief. The remaining portion of the Motion is construed as requesting preliminary injunctive relief and is held in abeyance pending a response from Defendants.

However, the Court stresses to both parties how seriously it takes the (*as yet unproven*) *allegations* made by Mr. Griffin regarding being forced to work in the field despite having serious heart problems. The Court orders Defendants to respond to Mr. Griffin’s Motion for Injunction

(Doc. 14) by 3:00 p.m. on October 6, 2020. Along with their Response, Defendants are ordered to provide: (1) all medical records related to Mr. Griffin's alleged heart problems or any other medical conditions that might theoretically impact his ability to work in the fields; (2) a list or other documentation of the medications prescribed or administered to Mr. Griffin since he has entered the facility; and (3) a copy of the results of any physical examination that suggested Mr. Griffin was suitable for field-work during incarceration. The Court has been in touch with Judge Ray, who intends to move forward very quickly on this preliminary injunction motion. The Court directs the Clerk's Office to immediately send this Order to all Defendants.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

IT IS SO ORDERED this 1st day of October 2020.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE